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Attorneys and Counselors at Laws

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March 15, 2016

VIA ECF

Honorable Ann M. Donnelly
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201

Re: Widjaja et al. v. Kang Yue USA Corporation et al.
Civil Action No. 09-cv-02089-AMD-CLP

Dear Judge Donnelly,

We represent Defendants in the above-captioned matter. We are writing to request that Your Honor (a) schedule a settlement conference to resolve the payment schedule, and (b) grant an extension of 30 days for Defendants to file the Opposition to the Motion for Attorney's Fees and Costs in case no settlement can be reached as scheduled.

Defendants did not prepare for the Opposition because the parties have been working on a settlement for the last a few weeks, and the attorney's fees and costs are part of the settlement. Parties have already reached an agreement to settle the entire case, including the attorney fees and costs, for a total amount of \$35,000.

The parties however have not agreed on the payment schedule yet. Due to the lack of cash flow, our client offered to pay the settlement in 2 installments within 90 days. That offer was rejected by Plaintiffs' Counsel, who insists that it must be paid in one lump sum. We hope a settlement conference will resolve this matter.

In any event, Plaintiffs' request for attorney's fees and costs in the amount over \$40,000 is without merit. It is out of proportion to the damages awarded by the court. The total damages awarded before liquidated damages and prejudgment interests are only about \$9,800.00 for all three Plaintiffs. This case lasts for more than six years not because at the fault of the Defendants but because of the unreasonableness of the Plaintiffs' demand for damages. Therefore, if the court denies the request for a settlement conference to resolve the payment schedule, the court shall reject Plaintiffs' unreasonable request for attorney's fees and costs in the amount over \$40,000. Only nominal amount of legal fees no more than \$5,000 shall be awarded to the Plaintiffs.

Very truly yours,

/s/ Kevin K. Tung
Kevin K. Tung

Dated: Queens, New York
March 15, 2016.